

To the Members of the California State Assembly:

I am returning Assembly Bill 527 without my signature.

Assembly Bill 527 requires that if the Labor Commissioner finds that two or more payroll records submitted for any claim or complaint brought pursuant to Section 98 of the Labor Code have been intentionally falsified, all payroll records relating to that claim or complaint shall be presumed to be false.

This bill is unwarranted and could unfairly require the Labor Commissioner to disregard accurate and appropriate evidence. In any hearing where payroll records are evaluated and it is determined that records are false, the remaining records may be viewed with suspicion. Rather than creating a presumption in statute, an evaluation of all payroll records is better left to the trier of fact.

For these reasons, I am unable to sign this bill.

Sincerely,

Arnold Schwarzenegger